

Customer No. 22,852
Attorney Docket No. 04329-2047-01000

REMARKS

In the last Office Action,¹ the Examiner objected to the drawings, specification, and claims 16, 17, 19, 20, 22, 23, 25, 26, 28, 29, 31, and 32 for informalities; rejected claims 15, 18, 21, 24, 27, and 30 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,064,722 to Clise et al. ("Clise") in view of U.S. Patent No. 5,513,184 to Vannucci ("Vannucci"); and rejected claims 16-17, 19-20, 22-23, 25-26, 28-29, and 31-32 as being unpatentable over Clise in view of Vannucci and further in view of U.S. Patent No. 5,742,596 to Baratz et al. ("Baratz").

By this amendment, the drawings and specification have been amended in accordance with the Examiner's suggestions; claims 15, 18, 21, 24, 27, and 30 have been canceled, without prejudice or disclaimer, and their subject matter has been incorporated into amended claims 16, 19, 22, 25, 28, and 31, respectively. Claims 17, 20, 23, 26, 29, and 32 have been amended to correct their dependencies and to improve form. Claims 16, 17, 19, 20, 22, 23, 25, 26, 28, 29, 31, and 32 are currently pending. Of these, claims 16, 19, 22, 25, 28, and 31 are independent.

A. Information Disclosure Statement

As an initial matter, Applicants note that a Supplemental Information Disclosure Statement was filed in this application on July 18, 2002, but a copy of the accompanying Form PTO 1449 was not attached to the Office Action. On February 27, 2006,

¹ The Office Action contains statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

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Applicants' representative spoke with the Examiner by telephone and requested that the Examiner correct a typographical error in the "Appln. No." field of the Form PTO 1449. The Examiner agreed to make the correction and send a copy of the Form PTO 1449, including the correction, with the next Office Communication.

B. Objections to Drawings and Specification

By this amendment, the drawings and specification have been amended in accordance with the Examiner's suggestions. Accordingly, Applicants request withdrawal of the objection to the drawings and the specification.

C. Claim Objections

The Examiner objected to claims 16, 17, 19, 20, 22, 23, 25, 26, 28, 29, 31, and 32 for informalities. By this amendment, Applicants have amended line 1 in each of claims 17, 20, 23, 26, 29, and 32, as suggested by the Examiner. To address the changes suggested by the Examiner on line 3 of each of claims 16, 19, 22, 25, 28, and 31, Applicants have amended line 3 in each of these claims to recite, among other things: "... voice encoding/decoding means for encoding a voice signal and for decoding a voice packet signal." Applicants respectfully submit that these amendments address the Examiner's objections. Accordingly, Applicants request withdrawal of the objections to claims 16, 17, 19, 20, 22, 23, 25, 26, 28, 29, 31, and 32.

D. Claim Rejections - 35 U.S.C. § 103(a)

Applicants respectfully submit that the cancellation of claims 15, 18, 21, 24, 27, and 30 renders the 35 U.S.C. § 103(a) rejection of these claims moot. Applicants respectfully traverse the rejection of claims 16, 17, 19, 20, 22, 23, 25, 26, 28, 29, 31,

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and 32 under 35 U.S.C. § 103(a) as being unpatentable over Clise in view of Vannucci and further in view of Baratz. No *prima facie* case of obviousness has been established with respect to claims 16, 17, 19, 20, 22, 23, 25, 26, 28, 29, 31, and 32 for at least the reason that there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), each of three requirements must be met. First, all the claim limitations must be taught or suggested by the prior art. See M.P.E.P. § 2143.03 (8th ed., rev. 3, Aug. 2005). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Each of these requirements must “be found in the prior art, not in applicant’s disclosure.” M.P.E.P. § 2143. Moreover, “[i]f the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.” M.P.E.P. § 2143.01.VI.

For example, independent claim 16, as amended, recites, among other things, “wherein said communication network interface means is further connectable to voice encoding/decoding means for encoding a voice signal and for decoding a voice packet signal.” Independent claims 19, 22, 25, 28, and 31, as amended, recite similar elements.

The Office Action properly observed that Clise and Vannucci do not expressly disclose a communication network interface means that is further connectable to voice encoding/decoding means. See Office Action, page 10. In an attempt to remedy this deficiency, the Office Action proposed applying “Baratz et al.’s [voice] codec in Clise et al.’s network interface.” Id., page 11. According to the Examiner, “it would have been obvious to . . . use Baratz et al.’s network based distributed PBX system in Clise et al.’s data request router for use with emergency public safety answering point systems with the motivation being inputted to PSTN interface for transmission to telephone lines.” Id. (citing Baratz at col. 9, lines 4-5).

The M.P.E.P. requires that “[i]f the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.” M.P.E.P. § 2143.01.VI. Applicants respectfully submit that modifying Clise with Baratz in the manner suggested by the Examiner would change the principle of operation of Clise. Therefore, Clise and Baratz are not properly combinable and the claims are not rendered obvious in view of these references.

Clise discloses a public safety answering point (PSAP) system for assisting providers of emergency services. See Clise, col. 1, lines 13-30. “As can be appreciated, the address information [associated with a calling party] may be very important since the calling party may be in a state of panic and is often incapable of supplying the location information to an emergency service operator in a timely manner.” Id. Thus, instead of relying on information from the panicked calling party, the

PSAP of Clise requests data (e.g., address information) from data request router 50 using the party's automatic number identification (ANI) information (see id., col. 3, lines 49-54, and col. 5, lines 25-35), and routes the calling party's voice to an operator position (see id., col. 3, lines 36-44).

Modifying the data request router to include a voice codec or to otherwise interface with calling parties via telephone lines would change the principle of operation of the alleged invention of Clise because such modification would result in the data request router relying, at least in part, on the panicked party's voice to obtain vital data (e.g., address information) about the calling party. Therefore, contrary to the Examiner's assertion, one of ordinary skill in the art would *not* have been motivated to modify the data request router in Clise with a PSTN interface for transmission to telephone lines. Accordingly, there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Thus, the section 103(a) rejections of claim 16 and claim 17, which depends from claim 16, should be withdrawn.

Independent claims 19, 22, 25, 28, and 31, although of different scope, each recite features similar to those of claim 16 discussed above. Accordingly, claims 19, 22, 25, 28, and 31 are also allowable for at least the reasons set forth above. Moreover, claims 20, 23, 26, 29, and 32 depend from and add additional features to each of independent claims 19, 22, 25, 28, and 31, respectively, and are therefore also allowable for at least the reasons set forth above.

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Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

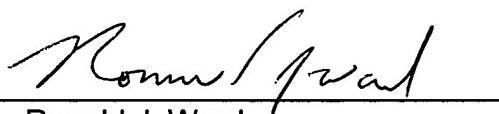
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 3, 2006

By:



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Attachments: Four Replacement Sheets (Figures 1, 2, 7, and 8)

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AMENDMENTS TO THE DRAWINGS:

This amendment changes reference numeral “10” in Figures 1, 7, and 8 to reference numeral “19.” This amendment also changes label “DREAM” in block 143C Figure 2 to “DRAM.”

Replacement drawing sheets containing these amendments to Figures 1, 2, 7, and 8 are attached.